

**TROY OROSCO,**  
Individually and on behalf  
of all others similarly situated,

**V.**

*Defendant.*

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**CLASS ACTION PURSUANT TO  
FED. R. CIV. P. 23**

1. Plaintiff Orosco, individually and on behalf of all others similarly situated, filed his Original Collective and Class Action Complaint on July 24, 2017, against Chalk Mountain Services of Texas, LLC. (D.E. No. 1) seeking to represent a proposed collective of employees defined as “all Sand Coordinators, Pushers and Well Site Supervisors who worked for Chalk Mountain Services of Texas, LLC, at any time from July 24, 2014 through the final disposition of this matter, and were paid a salary but did not receive overtime for all hours worked over forty (40) in each workweek” (the Proposed Collective”).
2. On August 23, 2017, Defendant Chalk Mountain Services of Texas, LLC filed its Answer to the Original Collective and Class Action Complaint. (D.E. No. 6).

3. A Status Conference was held before this Court on October 26, 2017.
4. The Parties have met and conferred regarding the possibility of a stipulation as to conditional certification of the Proposed Collective as well as early resolution of this matter. Although an agreement has yet to be reached as to either issue, the Parties have agreed in the meantime to toll the applicable statute of limitations for all members of the Proposed Collective who have not yet opted in. The Parties have agreed and stipulated that the applicable statute of limitation be tolled from November 1, 2017 until March 1, 2018.
5. Except as provided herein, this stipulation shall not be construed as an admission of fact or law relating to any of the Parties' claims or defenses, and the parties do not waive any such claims or defenses.

WHEREFORE, the Parties respectfully request that the Court grant this Stipulation Regarding Tolling the Statute of Limitations Pursuant to 29 U.S.C. § 216(b) and toll the applicable statute of limitation for the Proposed Collective for the time period beginning November 1, 2017 until March 1, 2018.

Date: January 4, 2018

Respectfully submitted,

/s/ Clif Alexander

**Clif Alexander**

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Proposed Collective***

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***Attorney in Charge for Defendant***